

RECEIVED  
CENTRAL FAX CENTER

06/28/04

14:07

LALLY &amp; LALLY, LLP → USPTO

JUN-28 2004

NO. 075

D01

OFFICIAL

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number	08/498234
Filing Date	02/03/2000
First Named Inventor	Baumgartner
Art Unit	2654
Examiner Name	Armstrong
Attorney Docket Number	AUS990878US1

## ENCLOSURES (Check all that apply)

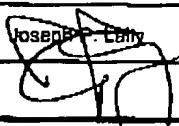
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD. Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Joseph P. Lally
Signature	
Date	June 28, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Joseph P. Lally
Signature	
Date	June 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FILE CENTER

JUN 28 2004

NO. 075

002

#11/C  
A.D.  
7/10/04

06/28/04

14:07

LALLY & LALLY, LLP → USPTO

IBM 5202

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Baumgartner, et al. § Group Art Unit: 2654

Serial No.: 09/498234 § Examiner: A. Armstrong

Filed: 02/03/2000 § Attorney Docket: AUS990879US1

For: **METHOD AND SYSTEM OF  
AUDIO FILE SEARCHING**

I, the undersigned, Joseph P. Lally, hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the US Postal Service with sufficient postage as first-class mail in an envelope addressed to:  
MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

June 28, 2004

Date

Signature

**RESPONSE TO OFFICE ACTION DATED MARCH 26, 2004**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This paper is submitted in response to the office action dated March 26, 2004 (the "Office Action") in the above referenced patent application after careful consideration to address the issues raised therein and to highlight why the case is believed to be in condition for allowance.

**Listing of the Claims begins on page 2 of this paper.**

**Remarks/Arguments begin on page 4 of this paper.**